



Established 1771

P. O. Box 1809, Pittsboro, NC 27312-1809 • Phone: (919) 542-8200 • Fax: (919) 542-8272

## COUNTY COMMISSIONERS

Jim Crawford, Chair  
Diana Hales, Vice Chair  
Mike Cross  
Karen Howard  
Walter Petty

COUNTY MANAGER: Renee Paschal

## AN ORDINANCE AMENDING THE ZONING ORDINANCE OF CHATHAM COUNTY

**For** Rezoning to Conditional District Community Business on behalf of the Golf Cart Guys, LLC

**WHEREAS**, the Chatham County Board of Commissioners has considered the request by the Golf Cart Guys, LLC to rezone approximately 6.74 acres, being all or a portion of Parcel No.5258, located at 1213 Pea Ridge Road, Cape Fear Township, from R-1 Residential to CD-CB Conditional District Community Business to operate a golf cart sales, service and rental business; boat, trailer and other utility vehicle sales and service; and a boat and RV storage facility, and finds that the amendment is consistent with the comprehensive plan of Chatham County as described in the Consistency Statement Resolution; and

**WHEREAS**, the Board finds that the uses set forth in the Application and incorporated herein by reference, if approved as "conditional" pursuant to the provisions of the zoning ordinance, would be suitable for the property proposed for rezoning under the conditions attached; and

**WHEREAS**, the Board finds the four (4) standards, as described below, from the Zoning Ordinance have been met as stated:

No. 1: The alleged error in this Ordinance, if any, which would be remedied by the proposed amendment with a detailed description of such error in the Ordinance and detailed, and reasons how the proposed amendment will correct the same. The applicant is not claiming any error in the ordinance; and

No. 2: The changed or changing conditions, if any, of the area or in the County generally, which make the proposed amendment reasonably necessary to the promotion of the public health, safety and general welfare. Many municipalities, including Pittsboro in September 2015, have adopted golf cart ordinances allowing their use on municipal streets. The Golf Cart Guys would be the only company in Chatham County to make alterations adding safety features to be compliant for Pittsboro Police inspection. The Golf Cart Guys would also use the property for boat and RV storage. The site is located south of Jordan Lake on the "Pea Ridge Road /Jordan Lake" off ramp and is in close proximity to both Moncure Dam and New Hope Overlook boat ramps. The site is also close to Harris Lake. This would be a convenient location for boaters and campers in the surrounding areas. With neighborhood Homeowners Associations becoming more prevalent and restrictive, these services are in demand.; and

No. 3: The manner in which the proposed amendment will carry out the intent and purpose of any adopted plans or parts thereof. Property in this area have been rezoned from residential to non-residential use and reverted back to residential over the years. The Land Conservation and Development Plan identifies the Moncure-Haywood area as having industrial potential due to the transportation and utility infrastructure. There are several commercial and industrial properties nearby, including 60 acres that was rezoned in 2015 (parcel#





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5213) as Light Industrial and is being permitted for a truss manufacturing company (see Zoning Map for reference). Other nearby non-residential parcels are 68322, 5814, 78135, 65327. Being at the off ramp of Hwy US-1, the property is located adjacent to an optimal transportation route, and commercial zoning is suited for this property; and

No. 4: All other circumstances, factors and reasons which the applicant offers in support of the proposed amendment. This project will bring a small business and needed revenue to the county in the form of higher property taxes and sales tax. There will be approximately 4-6 employees at this site, which is strategically located just a few miles from Wake County and Lee County lines; again, increasing the revenues coming into Chatham since they service all areas. A majority of the property fronts Hwy US-1 to the north, Pea Ridge Road to the east, and heavy industrial (ST Wooten Corporation) to the south. This property is not well suited for residential development due to noise from the highway and neighboring industrial uses. ; and

No. 5: All other circumstances, factors, and reasons which the applicant offers in support of the proposed amendment include installing a fire hydrant at the entrance into the property at the request of the Chatham County Fire Marshal's office. The property will utilize the county public water system and obtain a commercial driveway permit from NCDOT.

There are two signs proposed for the site. One monument sign, seven feet in height with ground lighting (75 sq. ft.) at the entrance on Pea Ridge Road and one freestanding 150 sq. ft. sign, 30 feet tall at the west end of the property facing US 1 with solar LED top mounted lighting shining down onto sign. The Chatham County Appearance Commission recommended approval of the signage as part of the landscaping plan.

Parking lot lighting is proposed to be six (6) pole lights that will comply with the lighting regulations of the zoning ordinance of Chatham County. ; and

**BE IT ORDAINED**, by the Board of Commissioners of Chatham County as follows:

1. The Application to rezone a portion of the property described as Parcel No. 5258 and being approximately 6.74 as depicted on Attachment "A", located at 1213 Pea Ridge Road, from R-1 Residential to CD-CB Conditional District Community Business, Cape Fear Township is approved and the zoning map is amended accordingly.
2. The following Conditions shall also be approved as part of this Ordinance approving the rezoning. They are:

### **Site Specific Conditions**

1. The recommendations of the Chatham County Appearance Commission shall be followed as recommended. Required plantings shall be installed by the next optimal planting season following the issuance of the first building permit.
2. Properly permitting spill containment measures as required by NCDEQ and any local ordinance or regulation shall be implemented.
3. A building permit shall be obtained and remain valid at all times within two (2) years of this approval or it shall become null and void.



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**COUNTY MANAGER: Renee Paschal****Standard Site Conditions**

4. The application, standards and adopted regulations of the applicable ordinances and policies, and the stated conditions of approval shall be complied with by the applicant. Changes or variations must be approved through the Planning Department or other approving board before any such changes can take place. These include but are not limited to landscaping, lighting, signage, parking, building construction, etc.
5. All required local, state, or federal permits (i.e. NCDOT commercial driveway permits, NCDWQ, Chatham County Erosion & Sedimentation Control, Environmental Health Division, Stormwater Management, Building Inspections, Fire Marshal, etc.) shall be obtained, if required, and copies submitted to the Planning Department prior to the initiation of the operation/business.

**Standard Administrative Conditions:**

6. Fees - Applicant and/or landowner shall pay to the County all required fees and charges attributable to the development of its project in a timely manner, including, but not limited to, utility, subdivision, zoning, and building inspections.
7. Continued Validity - The continued validity and effectiveness of this approval was expressly conditioned upon the continued compliance with the plans and conditions listed above.
8. Non-Severability - If any of the above conditions is held to be invalid, this approval in its entirety shall be void.
9. Non-Waiver - Nothing contained herein shall be deemed to waive any discretion on the part of the County as to further development of the applicant's property and this permit shall not give the applicant any vested right to develop its property in any other manner than as set forth herein.

3. This ordinance shall become effective upon its adoption.

Adopted this 16th day of May 2016

James Crawford, Chair  
Chatham County Board of Commissioners

ATTEST:

Lindsay K. Ray, Clerk to the Board  
Chatham County Board of Commissioners





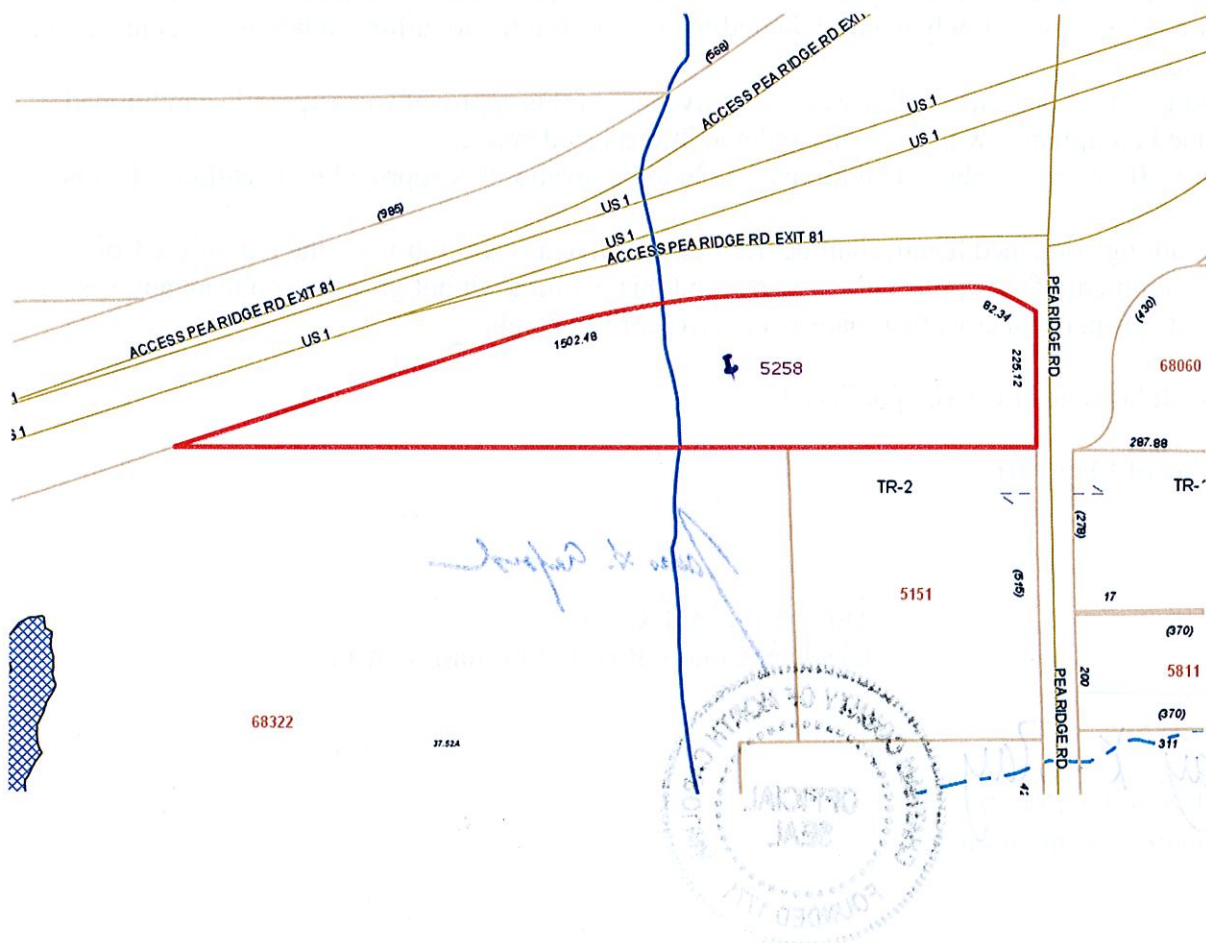
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**ATTACHMENT "A"**

Tax Parcel No. 5258, 6.74 acres to be zoned CD-CB Conditional District Community Business, located at 1213 Pea Ridge Road, Cape Fear Township.







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## Resolution of the Chatham County Board of Commissioners

### ADOPTING A CONSISTENCY STATEMENT FOR THE APPROVAL OF

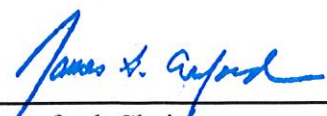
A Rezoning Request for the Golf Cart Guys, LLC

**WHEREAS**, the Chatham County Board of Commissioners has reviewed the application for a rezoning request from R-1 Residential to CD-CB Conditional District Community Business on Parcel No. 5258, being all of 6.74 acres, located at 1213 Pea Ridge Road for multiple uses being golf cart sales, service and rentals; boat, trailer and other utility vehicle sales and service; and boat and RV storage to approve and allow said uses based on the information provided in the application, plans, and other submittal materials (the "Amendment") and finds that the same is consistent with the Chatham County Land Conservation and Development Plan; and

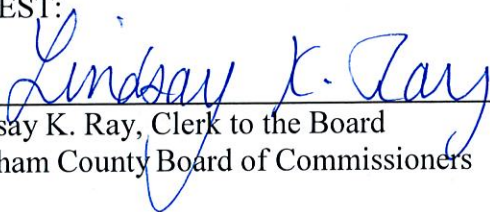
**WHEREAS, in addition**, the Chatham County Board of Commissioners considers the Amendment to be reasonable and in the public interest because it is consistent with the goals and objectives of the Land Use Plans of Chatham County by reinforcing that the Moncure-Haywood area is shown as a designated Economic Development Center, specifically for its commercial potential along with access to transportation and infrastructure.;

**NOW, THEREFORE, BE IT RESOLVED**, by the Chatham County Board of Commissioners that, for the reasons set forth above, the Amendment and presented documentation are found to be consistent with the county land use plan, and are determined to be reasonable and in the public interest.

Adopted, this the 16th day of May 2016.

  
James G. Crawford, Chairman  
Chatham County Board of Commissioners

ATTEST:

  
Lindsay K. Ray, Clerk to the Board  
Chatham County Board of Commissioners

